

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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**MASSACHUSETTS INSTITUTE
OF TECHNOLOGY**

Plaintiff

v.

CURAGEN CORPORATION,

Defendant.

CIVIL ACTION NO. 05-10860WGY

**NOTICE OF VOLUNTARY DISMISSAL BY PLAINTIFF, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY**

Pursuant to the provisions of Federal Rule of Civil Procedure 41(a)(1)(i), Plaintiff, Massachusetts Institute of Technology, voluntarily dismisses the above-entitled action with prejudice.

**MASSACHUSETTS INSTITUTE
OF TECHNOLOGY**

By its attorney,



Mark C. DiVincenzo, Esq.

BBO No. 552818

Litigation and Risk Management Counsel

Massachusetts Institute of Technology

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Dated: May 20, 2005